

FACT SHEET

for the U.S. Environmental Protection Agency, Region 9's Draft Class I Underground Injection Control Permit #CA10500001 to Hilmar Cheese Company

Location:

Hilmar Cheese Company
9001 North Lander Avenue
Hilmar, CA 95324

Permittee:

Hilmar Cheese Company
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Regulatory Contact:

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I. Purpose of the Fact Sheet

Pursuant to the Underground Injection Control (UIC) regulations in Title 40 of the Code of Federal Regulations (CFR), §124.8, the purpose of this fact sheet is to briefly describe the principle facts and the considerations that went into preparing the draft permit. To meet these objectives, this fact sheet contains background information on the permit process, a description of the facility, a brief discussion of the permit conditions, and the reasons for these permit conditions.

II. Permit Process

Application and Review Period

The U.S. Environmental Protection Agency, Region 9 (EPA) Director has authority to issue permits for underground injection activities under 40 CFR §144.31. Hilmar Cheese Company (HCC) is applying for a UIC permit to operate a Class I injection well to dispose of a portion of non-hazardous wastewater from its cheese manufacturing plant's wastewater treatment system. EPA received an individual permit application for four (4) Class I nonhazardous UIC wells from Hilmar Cheese Company (HCC) on September 17, 2004. EPA's administrative review of the application package was completed on December 29, 2004. Following this, EPA began the technical review and requested more information on the proposed injection volume, pressure front radius created by the proposed injection activities, HCC's regulatory compliance history, assumed fracture gradient, and proposed methods of sludge disposal on February 7, 2005. EPA received the requested information and completed a draft Class I nonhazardous UIC permit that authorizes the construction of one (1) injection well, and depending on site specific hydrogeologic testing, the construction and operation of up to four (4) injection wells. The permit contains numerous construction, operation, maintenance, monitoring, reporting, and abandonment requirements.

Based on the review of the proposed well construction, operation standards, monitoring requirements, and the existing geologic setting, EPA believes the activities allowed under the proposed draft permit are protective of Underground Sources of Drinking Water as required under the Safe Drinking Water Act.

Public Participation

The public will be given **45 days** to review and comment on the Class I UIC draft permit (40 CFR §124.10). The draft permit and this fact sheet will be available at the following locations:

Modesto Public Library
1500 I Street
Modesto, CA 95354

Merced Public Library
2100 O Street
Merced, CA 95340

U.S. Environmental Protection Agency, Region 9
Ground Water Office
75 Hawthorne Street
San Francisco, CA 94105

The draft permit and fact sheet will also be available at EPA Region 9's web page at:
<http://www.epa.gov/region09/water/groundwater/uic-permits.html>

The public comment period begins on August 2, 2005 and ends on September 16, 2005. All written comments on the draft permit can be sent, faxed, or E-mailed to Eric Byous using the contact information listed on the first page of this fact sheet. Eric Byous is also available by phone for any questions regarding the draft permit. A public hearing to present comments on the draft permit in a public forum is scheduled for 6:00 – 8:00 PM on September 8, 2005 at:

**Stanislaus County Agricultural Center
Harvest Hall Training Center (Rooms D and E)
3800 Cornucopia Way
Modesto, CA 95358**

All persons, including the applicant, who object to any condition of the draft permit or EPA's decision to prepare a draft permit must raise all reasonable ascertainable issues and submit all reasonable arguments supporting their position by the close of the comment period (40 CFR §124.13). The public comment period may be reopened if this could expedite decision making (40 CFR §124.13).

Final Decision Making Process

After the close of the public comment period, EPA will review and consider all comments relevant to the UIC permit and application. A response to comments will be sent to the applicant and each person who has submitted written comments or requested notice of the final permit decision. The response to comments will contain: a response to all significant comments of the draft permit, the final decision, any permit conditions that are changed and the reasons for the changes, and procedures for appealing the decision. The final decision shall be to either Issue or Deny the permit. The final decision shall become effective thirty (30) days after the service of the notice of decision. Within thirty (30) days after the final permit decision has been issued, any person who filed comments on the draft permit, participated in the Public Hearing, or takes issue with any changes in the draft permit, may petition the Environmental Review Board to review any condition of the permit decision. Commenters are referred to 40 CFR § 124.19 for procedural requirements of the appeal process.

III. Description of the Facility

HCC's cheese manufacturing facility produces waste that is discharged to a wastewater treatment facility on HCC's near Hilmar, California. The wastewater treatment process includes equalization, physico-chemical dissolved air flotation, lipid digestion, anaerobic digestion, pre-aeration, sequenced batch reactors (four cycles per day), reverse osmosis, and potentially sand filtration and chemical addition. Some of the plant's wastewater will be potentially injected into one of four total injection wells. All potential injection wells will be located on property near HCC's facility on North Lander Avenue in Hilmar, California.

IV. Brief Summary of Specific Permit Conditions

In order to protect public health and the environment, the following conditions for injection well construction, corrective action, operation, monitoring and reporting, plugging and abandonment, and financial responsibility have been included in the Hilmar Cheese Company's Draft Class I UIC Permit:

Well Construction (Part II, Section A of the Draft Permit)

No injection well construction may commence without prior written approval from EPA. Authority to drill and construct any well will not be given until a \$90,000 surety bond has been posted by HCC and approved by EPA. The well design specifications include a conductor pipe (9 5/8 in) to approximately 800 feet below the ground surface (ft bgs), long string casing (7 in) from the surface to approximately 3,350 ft bgs, and tubing (5 in) from the surface to 4,150 ft bgs. The conductor pipe and the long string casing are designed to be cemented to the surface. The tubing is slotted from (2 in x 200 micron) approximately 3,350 ft to 4,150 ft bgs to allow the injection fluid to enter the undifferentiated Paleocene Upper Cretaceous sands formation. Complete well construction plans and schematics are included in Appendix A.

Corrective Action (Part II, Section B of the Draft Permit)

Corrective action may be required depending on results of hydrogeologic testing required under the proposed permit. Corrective action may include, but is not limited to re-entering, plugging, and abandoning oil production exploratory wells located within the permit's Area of Review.

Well Operation (Part II, Section C of the Draft Permit)

Prior to receiving authorization to inject, HCC will have to conduct mechanical integrity testing, step-rate testing, injection zone parameter testing, a hazardous waste determination of the injectate, and ground water sampling. No hazardous waste may be injected into any of the proposed injection wells. Injectate volume and pressure limitations are proposed to be determined following the testing required under the permit. The permit requires annual mechanical integrity and pressure transient testing to ensure protection of underground sources of drinking water.

Monitoring, Record Keeping, and Reporting (Part II, Section D of the Draft Permit)

HCC is required to continuously monitor injection rate, total injection volume, injection pressure, annular pressure, and injection fluid temperature. HCC is required to sample the following on a quarterly basis: **Geochemical** (Appropriate EPA Methods for Sodium, Calcium, Magnesium, Barium, Total Iron, Chloride, Sulfate, Carbonate, Bicarbonate, Sulfide, Total Dissolved Solids, pH, Conductivity, and Specific Gravity); **Metals** (Appropriate EPA Methods for Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium, Cobalt, Copper, Lead, Mercury, Molybdenum, Nickel, Selenium, Silver, Thallium, Vanadium, and Zinc); **VOCs** (EPA Methods 8010/8020 or 8240); **Semi-VOCs**

(EPA Method 8270); and **Solids** (EPA Methods 160.1 and 160.2 for Total Dissolved Solids and Total Suspended Solids).

All sampling analyses must be performed at a laboratory approved by EPA. HCC is required to maintain all operational and monitoring records, and to submit quarterly summary reports to EPA.

Well Abandonment (Part II, Section E of the Draft Permit)

Upon determination that any injection well regulated by this permit is to be permanently abandoned, HCC would be required to abandon the injection well according to the Plugging and Abandonment Plans in Appendix E. EPA reserves the right to change the manner in which a well will be plugged if the well is modified during its permitted life or if the well is not consistent with EPA requirements for construction or mechanical integrity.

Duration of Permit (Part II, Section G of the Draft Permit)

The proposed permit and the authorization to inject would be issued for a period of up to ten (10) years unless terminated under the conditions set forth in Part III, Section B.1 of the proposed permit.